

the end, and inserting "exceed \$174,593,000 for fiscal year 1994.", and

(2) in paragraph (2) by striking "exceed" and all that follows through the period at the end, and inserting "exceed \$177,491,000 for fiscal year 1994.".

(f) INVESTIGATION AND REPORT.—Not later than September 30, 1995, the Chairperson of the National Endowment for the Arts shall—

(1) conduct an investigation of State compliance with section 5(g) (4) (C) (i) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 954(g) (4) (C) (i)), and

(2) submit to the Speaker of the House of Representatives and the President pro tempore, a report containing—

(A) the results of such investigation, and

(B) any information and recommendations as the Chairperson considers to be appropriate.

SEC. 3. AMENDMENTS TO THE MUSEUM SERVICES ACT.

Section 209 of the Museum Services Act (20 U.S.C. 967) is amended—

(1) in subsection (a) by striking "\$24,000,000" and all that follows through "1993", and inserting "\$28,777,000 for fiscal year 1994 and such sums as may be necessary for fiscal year 1995", and

(2) in subsection (d) by striking "1993" and inserting "1995".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. CUNNINGHAM moved to recommend the bill to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with the following amendment:

Page 2, after line 3, insert the following (and redesignate succeeding sections accordingly):

SEC. 2. LIMITATION ON DISTRIBUTION OF FUNDS TO INDIVIDUALS WHO ARE NOT LAWFULLY IN THE UNITED STATES.

(a) DEFINITION.—Section 3 of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 952) is amended by adding at the end the following:

"(m) With respect to fiscal years 1994 and 1995, the term 'individual not lawfully in the United States' means an individual who is not a United States citizen, a national of the United States, a permanent resident alien, an asylee, a refugee, a parolee, or a non-immigrant in status.".

(b) NATIONAL ENDOWMENT FOR THE ARTS.—Section 5 of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 954) is amended—

(1) in subsection (d)—

(A) in paragraph (1) by striking "and" at the end,

(B) by redesignating paragraph (2) as paragraph (3), and

(C) by inserting after paragraph (1) the following:

"(2) none of the financial assistance available under this section for fiscal year 1994 or fiscal year 1995 will be used to provide financial assistance to an individual who is not lawfully in the United States; and",

(2) in subsection (g)(2)(B)—

(A) (i) by inserting "(i)" after "(B)", and

(ii) by inserting "and" at the end, and

(B) by inserting after clause (i), as so designated by subparagraph (A), the following:

"(ii) provides an assurance that none of the financial assistance received under this subsection for fiscal year 1994 or fiscal year 1995 will be used to provide financial assistance to an individual who is not lawfully in the United States";, and

(1) in subsection (i)—

(A) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and

(B) by inserting after paragraph (2) the following:

"(3) an assurance that none of the financial assistance received under this subsection for fiscal year 1994 or fiscal year 1995 will be used to provide financial assistance to an individual who is not lawfully in the United States";.

(c) NATIONAL ENDOWMENT FOR THE HUMANITIES.—Section 7 of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 956) is amended—

(1) in subsection (e)—

(A) by inserting "(1)" after "(e)", and

(B) by adding at the end the following:

"(2) None of the financial assistance available under this section for fiscal year 1994 or fiscal year 1995 shall be used to provide financial assistance to an individual who is not lawfully in the United States.".

(2) in subsection (f)(5)(C)—

(A) by inserting "(i)" after "(C)", and

(B) by adding at the end the following:

"(ii) As a condition of receiving funds made available under this subsection for fiscal year 1994 or fiscal year 1995, each recipient of such funds shall provide to the Chairperson an assurance that none of such funds will be used to provide financial assistance to an individual who is not lawfully in the United States.".

(3) in subsection (h) by adding at the end the following:

"(4) As a condition of receiving funds made available under this subsection for fiscal year 1994 or fiscal year 1995, each recipient of such funds shall provide to the Chairperson an assurance that none of such funds will be used to provide financial assistance to an individual who is not lawfully in the United States.".

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. McNULTY, announced that the nays had it.

Mr. CUNNINGHAM objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas 210
Nays 214

116.13

[Roll No. 502]

YEAS—210

Allard
Andrews (TX)
Applegate
Archer
Armey
Bachus (AL)
Baker (CA)
Baker (LA)
Ballenger
Barcia
Barrett (NE)
Bartlett
Barton
Bateman
Bentley
Bereuter
Bevill
Bilbray
Bilirakis
Bliley
Blute
Boehlert
Boehner
Bonilla
Brooks

Browder
Brown (OH)
Bryant
Bunning
Burton
Buyer
Callahan
Calvert
Camp
Canady
Castle
Chapman
Clinger
Coble
Collins (GA)
Combest
Condit
Cooper
Costello
Cox
Cramer
Crane
Crapo
Cunningham
Danner

Darden
de la Garza
Deal
DeLay
Dickey
Doolittle
Dornan
Dreier
Duncan
Dunn
Durbin
Emerson
Everett
Ewing
Fawell
Fields (TX)
Fish
Fowler
Franks (CT)
Franks (NJ)
Gallegly
Gallo
Gekas
Geren
Gilchrest

Gillmor
Gilman
Gingrich
Goodlatte
Goodling
Goss
Grams
Greenwood
Gunderson
Hall (TX)
Hancock
Hansen
Hastert
Hefley
Herger
Hobson
Hoekstra
Hoke
Holden
Huffington
Hunter
Hutchinson
Hutto
Hyde
Inglis
Inhofe
Istook
Jacobs
Johnson (CT)
Johnson, Sam
Kasich
Kim
King
Kingston
Klug
Knollenberg
Kyl
Lancaster
Laughlin
Lazio
Leach
Lehman
Levy
Lewis (CA)
Lewis (FL)

Lightfoot
Linder
Lipinski
Livingston
Machtley
Manzullo
McCandless
McCollum
McCrery
McHugh
McInnis
McKeon
McNulty
Meyers
Mica
Michel
Miller (FL)
Molinari
Montgomery
Moorhead
Myers
Nussle
Oxley
Packard
Parker
Paxon
Penny
Petri
Pickle
Pombo
Porter
Portman
Poshard
Pryce (OH)
Quillen
Quinn
Ramstad
Ravenel
Regula
Ridge
Roberts
Rogers
Rohrabacher
Roth
Roukema

Rowland
Royce
Santorum
Sarpalio
Schaefer
Schiff
Sensenbrenner
Sharp
Shaw
Shuster
Sisisky
Skeen
Skelton
Slattery
Smith (NJ)
Smith (OR)
Smith (TX)
Snowe
Solomon
Spence
Stearns
Stenholm
Stump
Stupak
Sundquist
Talent
Tanner
Tauzin
Taylor (MS)
Taylor (NC)
Thomas (CA)
Thomas (WY)
Torkildsen
Upton
Valentine
Volkmer
Vucanovich
Walker
Walsh
Weldon
Wolf
Young (AK)
Young (FL)
Zeliff
Zimmer

NAYS—214

Abercrombie
Ackerman
Andrews (ME)
Andrews (NJ)
Bacchus (FL)
Baesler
Barca
Barlow
Barrett (WI)
Becerra
Beilenson
Berman
Bishop
Blackwell
Bonior
Borski
Boucher
Brewster
Brown (CA)
Brown (FL)
Byrne
Cantwell
Cardin
Carr
Clay
Clayton
Clement
Clyburn
Coleman
Collins (IL)
Collins (MI)
Conyers
Coppersmith
Coyne
DeFazio
DeLauro
Dellums
Derrick
Deutsch
Diaz-Balart
Dicks
Dingell
Dixon
Dooley
Edwards (CA)
Edwards (TX)
Engel
English (AZ)
English (OK)
Eshoo
Evans
Farr
Fazio

Fields (LA)
Filner
Fingerhut
Flake
Foglietta
Ford (MI)
Ford (TN)
Frank (MA)
Frost
Furse
Gejdenson
Gephardt
Gibbons
Glickman
Gonzalez
Gordon
Grandy
Gutierrez
Hall (OH)
Hamburg
Hamilton
Harman
Hastings
Hayes
Hefner
Hilliard
Hinchey
Hoagland
Hochbrueckner
Horn
Houghton
Hoyer
Hughes
Inslee
Jefferson
Johnson (GA)
Johnson (SD)
Johnson, E. B.
Johnston
Kanjorski
Kaptur
Kennedy
Kennelly
Kildee
Klecza
Klein
Klink
Kolbe
Kopetski
Kreidler
LaFalce
Lambert
Lantos

LaRocco
Levin
Lewis (GA)
Long
Lowey
Maloney
Mann
Manton
Margolies-
Mezvinsky
Marky
Matsui
Mazzoli
McCloskey
McCurdy
McDermott
McHale
McKinney
McMillan
Meehan
Meek
Menendez
Mfume
Miller (CA)
Mineta
Minge
Mink
Moakley
Mollohan
Moran
Morella
Nadler
Natcher
Neal (MA)
Neal (NC)
Oberstar
Obey
Olver
Ortiz
Orton
Owens
Pallone
Pastor
Payne (NJ)
Payne (VA)
Pelosi
Peterson (FL)
Peterson (MN)
Pickett
Pomeroy
Price (NC)
Rahall
Rangel

Reed	Shays	Towns	LaRocco	Olver	Sisisky
Reynolds	Shepherd	Trafigant	Laizio	Ortiz	Skaggs
Richardson	Skaggs	Tucker	Leach	Owens	Slattery
Roemer	Slaughter	Unsoeld	Lehman	Pallone	Slaughter
Ros-Lehtinen	Smith (IA)	Velazquez	Levin	Parker	Smith (IA)
Rose	Spratt	Vento	Lewis (GA)	Pastor	Snowe
Rostenkowski	Stark	Visclosky	Lipinski	Payne (NJ)	Spence
Roybal-Allard	Stokes	Watt	Lloyd	Payne (VA)	Spratt
Rush	Strickland	Waxman	Long	Pelosi	Stark
Sabo	Studds	Wheat	Lowe	Penny	Stokes
Sanders	Swett	Whitten	Machtley	Peterson (FL)	Strickland
Sangmeister	Swift	Williams	Maloney	Peterson (MN)	Studds
Sawyer	Synar	Wilson	Mann	Pickett	Stupak
Saxton	Tejeda	Wise	Manton	Pickle	Swift
Schenk	Thompson	Woolsey	Margolies-	Pomeroy	Synar
Schroeder	Thornton	Wyden	Mezvinsky	Porter	Tejeda
Schumer	Thurman	Wynn	Markey	Poshard	Thompson
Scott	Torres	Yates	Mazzoli	Price (NC)	Thornton
Serrano	Torricelli		McCloskey	Pryce (OH)	Thurman

NOT VOTING—9

Green	McDade	Smith (MI)
Lloyd	Murphy	Washington
Martinez	Murtha	Waters

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. MCNULTY, announced that the yeas had it.

Mr. BUNNING demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 304
Nays 119

¶116.14 [Roll No. 503]

YEAS—304

Ackerman	Costello	Glickman
Andrews (ME)	Coyne	Gonzalez
Andrews (NJ)	Cramer	Gordon
Andrews (TX)	Danner	Goss
Applegate	Darden	Grandy
Bacchus (FL)	de la Garza	Gunderson
Baessler	Deal	Gutierrez
Ballenger	DeFazio	Hall (OH)
Barcia	DeLauro	Hamburg
Barlow	Dellums	Hamilton
Barrett (NE)	Derrick	Hansen
Barrett (WI)	Deutsch	Harman
Bateman	Diaz-Balart	Hastings
Becerra	Dicks	Hayes
Beilenson	Dingell	Hefner
Bentley	Dixon	Hilliard
Bereuter	Dooley	Hinchey
Bevill	Dunn	Hoagland
Bilbray	Durbin	Hobson
Bishop	Edwards (CA)	Hochbrueckner
Blackwell	Edwards (TX)	Hoekstra
Blute	Engel	Hoke
Boehlert	English (AZ)	Horn
Bonior	English (OK)	Houghton
Borski	Eshoo	Hoyer
Boucher	Evans	Huffington
Brewster	Farr	Hughes
Brooks	Fawell	Inslee
Browder	Fazio	Jacobs
Brown (CA)	Fields (LA)	Jefferson
Brown (FL)	Filner	Johnson (CT)
Brown (OH)	Fingerhut	Johnson (GA)
Bryant	Fish	Johnson (SD)
Byrne	Flake	Johnson, E. B.
Camp	Foglietta	Johnston
Cantwell	Ford (MI)	Kanjorski
Cardin	Ford (TN)	Kaptur
Carr	Fowler	Kennedy
Castle	Frank (MA)	Kennelly
Chapman	Franks (CT)	Kildee
Clay	Franks (NJ)	Klecza
Clayton	Frost	Klein
Clement	Furse	Klink
Clinger	Gallo	Klug
Clyburn	Gejdenson	Kolbe
Coleman	Gephardt	Kopetski
Collins (IL)	Geren	Kreidler
Collins (MI)	Gibbons	LaFalce
Conyers	Gilchrest	Lambert
Cooper	Gillmor	Lancaster
Coppersmith	Gilman	Lantos

Olver	Sisisky
Ortiz	Skaggs
Owens	Slattery
Pallone	Slaughter
Parker	Smith (IA)
Pastor	Snowe
Payne (NJ)	Spence
Payne (VA)	Spratt
Pelosi	Stark
Penny	Stokes
Peterson (FL)	Strickland
Peterson (MN)	Studds
Pickett	Stupak
Pickle	Swift
Pomeroy	Synar
Porter	Tejeda
Poshard	Thompson
Price (NC)	Thornton
Pryce (OH)	Thurman
Rahall	Torkildsen
Ramstad	Torres
Rangel	Torricelli
Reed	Towns
Regula	Trafigant
Reynolds	Tucker
Richardson	Unsoeld
Ridge	Upton
Roemer	Valentine
Rogers	Velazquez
Ros-Lehtinen	Vento
Rose	Visclosky
Rostenkowski	Volkmer
Roukema	Walsh
Rowland	Waters
Roybal-Allard	Watt
Rush	Waxman
Sabo	Weldon
Sanders	Wheat
Sangmeister	Williams
Santorum	Wilson
Sawyer	Wise
Saxton	Wolf
Schenk	Woolsey
Schiff	Wyden
Schroeder	Wynn
Schumer	Yates
Scott	Young (AK)
Serrano	Zeliff
Sharp	Zimmer
Shays	
Shepherd	

NAYS—119

Allard	Goodlatte	Oxley
Archer	Goodling	Packard
Armey	Grams	Paxon
Bachus (AL)	Greenwood	Petri
Baker (CA)	Hall (TX)	Pombo
Baker (LA)	Hancock	Portman
Barca	Hastert	Quillen
Bartlett	Hefley	Quinn
Barton	Herger	Ravenel
Bilirakis	Holden	Roberts
Bliley	Hunter	Rohrabacher
Boehner	Hutchinson	Roth
Bonilla	Hutto	Royce
Bunning	Hyde	Sarpalius
Burton	Inglis	Schaefer
Buyer	Inhofe	Sensenbrenner
Callahan	Istook	Shaw
Calvert	Johnson, Sam	Shuster
Canady	Kasich	Skeen
Coble	Kim	Skelton
Collins (GA)	King	Smith (MI)
Combest	Kingston	Smith (NJ)
Condit	Knollenberg	Smith (OR)
Cox	Kyl	Smith (TX)
Crane	Laughlin	Solomon
Crapo	Levy	Stearns
Cunningham	Lewis (CA)	Stenholm
DeLay	Lewis (FL)	Stump
Dickey	Lightfoot	Sundquist
Doolittle	Linder	Talent
Dornan	Livingston	Tanner
Dreier	Manzullo	Tauzin
Duncan	McCandless	Taylor (MS)
Emerson	McCrery	Taylor (NC)
Everett	McHugh	Thomas (CA)
Ewing	McKeon	Thomas (WY)
Fields (TX)	Mica	Vucanovich
Gallegly	Moorhead	Walker
Gekas	Nussle	Young (FL)
Gingrich	Orton	

NOT VOTING—10

Abercrombie	Matsui	Washington
Berman	McDade	Whitten
Green	McKinney	
Martinez	Murtha	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶116.15 PERMISSION TO FILE REPORT

On motion of Mr. NATCHER, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report (Rept. No. 103-293) on the bill (H.R. 2519) making appropriations for the Departments of Commerce, Justice, and State, the Judiciary, and related agencies for the fiscal year ending September 30, 1994, and for other purposes.

¶116.16 PERMISSION TO FILE REPORT

On motion of Mr. NATCHER, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report (Rept. No. 103-291) on the bill (H.R. 2492) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1994, and for other purposes.

¶116.17 PERMISSION TO FILE REPORT

On motion of Mr. NATCHER, by unanimous consent, the managers on the part of the House were granted permission until midnight tonight to file a conference report (Rept. No. 103-292) on the bill (H.R. 2445) making appropriations for energy and water development for the fiscal year ending September 30, 1994, and for other purposes.

¶116.18 SUBPOENA

The SPEAKER pro tempore, Mr. MCNULTY, laid before the House a communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 13, 1993.

DEAR MR. SPEAKER: This is to notify you pursuant to Rule L of the Rules of the House that I have been served with a subpoena issued by the County Court of the City and County of Denver, Colorado.

After consultation with the General Counsel, I will notify you of my determinations as required by the Rule.

Sincerely,

PAT SCHROEDER,
Congresswoman.

¶116.19 SUBPOENA

The SPEAKER pro tempore, Mr. MCNULTY, laid before the House a communication, which was read as follows:

NON-LEGISLATIVE AND FINANCIAL
SERVICES, U.S. HOUSE OF REPRESENTATIVES,

Washington, DC, October 13, 1993.

Hon. THOMAS S. FOLEY,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you pursuant to Rule L (50) of the Rules of the House that my office has been served with a subpoena issued by the Superior Court of the District of Columbia.

After consultation with the General Counsel, I have determined that compliance with